

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

NEWTON

Atty. Ref.: 608-461; Confirmation No. 9615

Appl. No. 10/549,568

TC/A.U. 1795

Filed: September 19, 2005

Examiner: Phasge, Arun S.

For: ELECTROMECHANICAL FILTER FOR FISCHER-TROPSCH SYNTHESIS

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November 9, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Official Action of October 7, 2009 and the requirement for restriction presented in it, applicants elect the subject matter of Group I, that is claims 1-5, directed to electromechanical filtering. The election is made with traverse.

Claims 6-9 relate to the use of an electromechanical filter according to claim 1 in the Fischer-Tropsch process as defined in claim 6. Indeed, claim 6 specifically refers back to claim 1. In light of this, it is believed that all pending claims should be examined together.

Moreover, MPEP Section 803 states that:

"If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions."

The outstanding Action does not indicate that the claimed subject matter in the present case is classified in different parts of the classification. It is assumed, therefore, that the claimed subject matter is classified in the same area of the classification. In view of this, it appears that it would not be a serious burden for the Examiner to examine all pending claims. Modification of the restriction requirement to permit examination of all pending claims is accordingly respectfully requested.

An examination on the merits is awaited.

Respectfully submitted,

**NIXON & VANDERHYTE P.C.**

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